

REMARKS

Presently, Claims 24-35 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Bergh et al. (i.e., United States Patent Number 6,112,186) and Claim 36 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bergh et al. No other issues are remaining.

By this amendment, Applicant seeks to more clearly and distinctly claim the subject matter which he regards as the invention and to thus place the claims in condition for allowance. In this regard, the present amendment is being submitted to specifically address the issues raised in the Examiner's Office Action of May 29, 2003 in order to clearly distinguish the present invention from the Bergh et al. reference.

Specifically, to expressly address the Examiner's comments stated in the Office Action, the claims of the present invention have been amended to positively recite that the same are directed to methods for organizing a website structure related to an organized sporting league that expressly include the steps of providing at least one first team registered with the website, at least one member of at least one first team registered with the website, and at least one second team registered with the website. Moreover, such methods have been amended to clarify that the step of providing a first personalized home page for said at least one registered team member includes imparting through said personalized home page information limited exclusively to said member and at least one first team registered with the website.

According to the May 29th Office Action, the Examiner indicated that such elements were set forth only in the preamble and were not positively recited, and as a consequence were not considered. In this regard, the Examiner appeared to suggest that

inclusion of such positively recited elements could define a patentable invention and thus serve as a basis for pointing out how the claims are patentably distinguishable from the cited reference, in this case Bergh et al. See, May 29th Office Action, paragraph 13-17, pages 4-5.

Along these lines, and as Applicant hopes will be appreciated by Examiner, the Bergh et al. reference neither teaches nor suggests any type of methodology for organizing a website structure related to an organized sports league that expressly includes the existence of first and second teams and team members, the latter each have home pages dedicated thereto with each individual team member selectively controlling access to his or her individual website. Moreover, Bergh et al. does not provide any teaching or suggestion whatsoever regarding personalized home pages for team members of an organized sports league to include personalized home page information limited exclusively to the respective team members. In this regard, and as should be expressly recognized by the Examiner, the Bergh et al. reference is expressly directed to the collection of subjective ratings regarding a myriad of items or topics as supplied by a plurality of users having specific profiles. Column 3, lines 20-24 and 61-66; Column 4, lines 15-18 and 33-38; and Abstract.

Because the teachings of Bergh et al. clearly fail to teach each and every element of Applicant's invention as now claimed, as apparently suggested by the Examiner, rejection of the claims cannot be maintained under 35 U.S.C. § 102. In this regard, in order for anticipation to apply, it is well-known that anticipation requires the presence in a single prior art disclosure all of the elements of the claimed invention arranged as in the claim. See, e.g., *Studiengesellschaft Kohle m.b. H. v. Dart Industries*, 220 USPQ 841,

842 (Fed. Cir. 1984). In this respect, a prior art reference cannot anticipate in terms of 35 USC § 102 unless every element of the claimed invention is identically shown in a single reference. *In re Bond*, 15 USPQ 2d, 1566, 1567 (Fed. Cir. 1990).

Based on the foregoing, Applicant respectfully submits that the claims, as amended herein, clearly and distinctly claim the subject matter which he regards as the invention, as well as distinguishes the same from the prior art made of record. Accordingly, as amended herein, the claims are believed to be in condition for immediate allowance. Early notice to that effect is respectfully requested. To the extent the Examiner has any questions, requires additional information, or has any suggestions to resolve any outstanding issues that may exist, he is invited to contact Applicant's counsel at the number below.

If an additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: _____

By: _____

Matthew A. Newboles
Registration No. 36,224
STETINA BRUNDA GARRED & BRUCKER
75 Enterprise, Suite 250
Aliso Viejo, California 92656
Telephone: (949) 855-1246